

**REMARKS**

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1 through 3 are now pending, wherein claims 1 and 2 have been amended, and claim 3 has been added.

In accordance with the telephone conversation of May 2, 2003 between the undersigned and Examiner Nguyen, it is the understanding of the undersigned that the response period to the current Office Action runs from the May 1, 2003 re-mailing date of the Office Action.

Initially, Applicants note with appreciation the Examiner's acknowledgment of Applicants' claim for foreign priority under 35 U.S.C. §119(a)-(d).

On page 2 of the Office Action claims 1 and 2 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Although this ground of rejection is respectfully traversed, claims 1 and 2 have been amended to delete rejected language. Accordingly, withdrawal of this rejection is respectfully requested.

On page 2 of the Office Action claims 1 and 2 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. US2001/0010743 to *Cayrefourcq et al.* ("*Cayrefourcq*"). This ground of rejection is respectfully traversed.

It is noted that the header of the rejection of claims 1 and 2 mentions that the *Cayrefourcq* application claims Foreign priority to a European patent application. It is unclear why the Office Action cited this information since this foreign priority date cannot be relied upon to reject Applicants' claims. As discussed in MPEP §706.02(f)(1) I. (b) the

102(e) date of a U.S. patent or patent application publication is the earliest effective U.S. filing date. The earliest effective U.S. filing date does not include foreign priority claims. See also the two "No" paths in the flow chart on page 737 of the February 2003, Revision 1 of the MPEP.

*Cayrefourcq* does not anticipate Applicants' claim 1 and 2 because *Cayrefourcq* does not disclose all of the elements of Applicants' claims 1 and 2. For example, Applicants' claims 1 and 2 both recite a polymeric carrier. However, *Cayrefourcq* does not disclose a polymeric carrier. The Office Action asserts that element 22 in *Cayrefourcq* is a polymeric carrier. *Cayrefourcq* does not disclose the material which comprises element 22. However, *Cayrefourcq* also identifies element 22 as substrate 14. In paragraph 0034 of *Cayrefourcq* it is disclosed that "substrate 14 [is] made of silicone." Since *Cayrefourcq* discloses that the substrate is made of silicone, and does not disclose that the substrate 14 or the base 22 is made of a polymeric material, *Cayrefourcq* cannot disclose a polymeric carrier as recited in Applicants' claims 1 and 2. Accordingly, *Cayrefourcq* cannot anticipate Applicants' claims 1 and 2.

For at least those reasons stated above it is respectfully requested that the rejection of claims 1 and 2 as allegedly being anticipated by *Cayrefourcq* be withdrawn.

New claim 3 recites similar elements to those discussed above with regard to Applicants' claims 1 and 2. Accordingly, new claim 3 is novel in view of *Cayrefourcq* for similar reasons to those discussed above with regard to Applicants' claims 1 and 2.

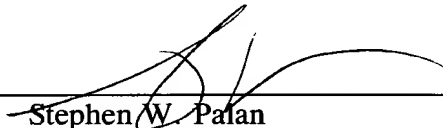
All outstanding objections and rejections having been addressed, it is respectfully submitted that the present application is in immediate condition for allowance. Notice to this effect is earnestly solicited. If there are any questions regarding this response, or the application in general, the Examiner is encouraged to contact the undersigned at 703-838-6758.

Respectfully submitted,

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By: \_\_\_\_\_

  
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